

85th Legislative Session – 2010

Committee: House Commerce

Wednesday, February 03, 2010

P - Present
E - Excused
A - Absent

Roll Call

P Blake
P Conzet
P Fargen
P Greenfield
P Jensen
P Kirschman
P Krebs
P Novstrup (David)
P Nygaard
P Pitts
P Solberg
P Solum, Vice-Chair
P Rounds, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chair Rounds.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 1, 2010

Moved by: Greenfield
Second by: Nygaard
Action: Prevailed by voice vote.

HB 1004: extend dram shop protection to certain alcoholic beverage licensees.

Proponents: Tim Dougherty, Licensed Beverage Dealers of SD
Opponents: Roger Tellinghuisen, SD Trial Lawyers Association
There was previous testimony and discussion on HB 1004

MOTION: DO PASS HB 1004

Moved by: Greenfield
Second by: Solum
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER HB 1004 TO THE 41ST LEGISLATIVE DAY

Moved by: Nygaard
Second by: Pitts
Action: Failed by roll call vote. (6-7-0-0)

Voting Yes: Blake, Conzet, Fargen, Nygaard, Pitts, Solberg

Voting No: Greenfield, Jensen, Kirschman, Krebs, Novstrup (David), Solum, Rounds

THE MOTION TO DO PASS HB 1004

Moved by: Greenfield
Second by: Solberg
Action: PREVAILED BY ROLL CALL VOTE. (7-6-0-0)

Voting Yes: Greenfield, Jensen, Kirschman, Krebs, Novstrup (David), Solum, Rounds

Voting No: Blake, Conzet, Fargen, Nygaard, Pitts, Solberg

HB 1189: prohibit discrimination based on domestic violence in life and health insurance policies.

Presented by: Representative Susy Blake
Proponents: Dianna Miller, SD Network Against Family Violence & Sexual Assault
Kristi Heeren-Graber, Self
Dick Gregerson, American Council of Life Insurance
Randy Moses, Division of Insurance

MOTION: DO PASS HB 1189

Moved by: Fargen
Second by: Kirschman
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Blake, Conzet, Fargen, Greenfield, Jensen, Kirschman, Krebs, Novstrup (David),

Nygaard, Pitts, Solberg, Solum, Rounds

MOTION: PLACE HB 1189 ON CONSENT CALENDAR

Moved by: Solberg
Second by: Fargen
Action: Failed by voice vote.

HB 1151: authorize funeral establishments to operate branch chapels.

Presented by: Representative Shantel Krebs
Proponents: Bob Miller, Funeral Director's Association

MOTION: AMEND HB 1151

1151sa

On page 1, line 7, of the printed bill, after "chapel" insert "where no embalming is permitted".

On page 2, delete lines 17 to 24, inclusive.

On page 3, delete line 1.

Moved by: Greenfield
Second by: Novstrup (David)
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1151 AS AMENDED

Moved by: Pitts
Second by: Solum
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Blake, Conzet, Fargen, Greenfield, Kirschman, Krebs, Novstrup (David), Nygaard, Pitts, Solberg, Solum, Rounds

Excused: Jensen

MOTION: PLACE HB 1151 ON CONSENT CALENDAR

Moved by: Novstrup (David)

Second by: Solum
Action: Prevailed by voice vote.

HB 1137: permit the secretary of state to cancel a trademark or service mark registration under certain conditions.

Presented by: Representative Bob Faehn

Chris Nelson, Secretary of State, answered questions of the Committee.

MOTION: DO PASS HB 1137

Moved by: Krebs
Second by: Solum
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Blake, Conzet, Fargen, Greenfield, Kirschman, Krebs, Novstrup (David), Nygaard, Pitts, Solberg, Solum, Rounds

Excused: Jensen

MOTION: PLACE HB 1137 ON CONSENT CALENDAR

Moved by: Nygaard
Second by: Solum
Action: Prevailed by voice vote.

THE CHAIR DEFERRED HB 1173 UNTIL TO ANOTHER DAY

MOTION: ADJOURN

Moved by: Krebs
Second by: Fargen
Action: Prevailed by voice vote.

Diane Mellan
Committee Secretary

Tim Rounds, Chair